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RUEHKO/AMEMBASSY TOKYO PRIORITY 1048
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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 002856

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SUBJECT: PAD DEFIANCE CONTINUES AS THE PAD HIGHLIGHTS
PM-ELECT SOMCHAI'S TIES TO THAKSIN

REF: BANGKOK 2592 (PAD PRIMER)

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Classified By: Ambassador Eric G. John, reason: 1.4 (b) and (d).

SUMMARY AND COMMENT

11. (C) The People's Alliance for Democracy (PAD) -- the group currently occupying and befouling the formal seat of government -- has shown no sign it intends to end its protest in the near future, despite having achieved its initial rationale for occupying the Government House compound in the first place: the departure of former PM Samak from office. Leading PAD figures reiterated their opposition to Prime Minister-elect Somchai Wongsawat, worrying he will advance the interests of deposed Prime Minister Thaksin, and have forged a new agenda. The police remain unwilling to storm the protest site but reportedly are poised to arrest PAD leaders once they leave Government House. An Appeals Court has decided to consider (at a date uncertain) an appeal of the arrest warrants for nine PAD leaders, offering a potential way out of the impasse. A pro-government group affiliated with the People's Power Party (PPP) plans to hold a rally on the evening of September 19 to mark the second anniversary of the 2006 coup d'etat.

12. (C) Comment: If the court were to dismiss the arrest warrants for PAD leaders, the protestors might be able to declare victory and safely vacate Government House; Senator Lertrat Ratanavanich suggested to us September 17 this might prove a way of escaping the current political standoff. Alternatively, the PAD might await Thaksin's conviction on abuse of power charges, although the verdict in that case is not scheduled for delivery until October 21. We have no basis to dismiss the PAD's suspicion that the incoming administration will continue to advance the interests of former Prime Minister Thaksin, although, unlike his predecessor, Somchai has not publicly touted his loyalty to Thaksin. If Somchai maintains an earnest and non-confrontational persona, the PAD may find the Thai public increasingly unsupportive of its rabble-rousing ways; numbers of supporters at the Government House compound dropped dramatically in the week after Samak's departure, though heavy rains also played a role. Although Somchai's leeway to

select his cabinet members is surely constrained by commitments to the leaders of PPP factions and other parties, his appointments could help to stoke or deflate popular support for the PAD. End Summary and Comment.

PAD COMMENTS ON SOMCHAI'S ELECTION

13. (U) King Bhumibol on September 18 signed a royal command endorsing Somchai Wongsawat's election as Prime Minister. The Palace has not announced the date for the inauguration of Somchai and his yet-to-be-named cabinet, but public speculation indicates it could be as early as September 22. Leading PAD figures have publicly rejected the notion of ending their continuing protest at Government House, the formal seat of government. PAD spokesman Suriyasai Katasila announced several steps that he felt Somchai should take, including:

- Dispelling suspicions (based on Somchai's wife Yaowapa being former PM Thaksin's sister) that Somchai would further Thaksin's interests;
- Committing to continued prosecution of Thaksin for abuses committed during his time in office;
- Addressing concerns raised by the inscription of the Preah Vihear temple on the UNESCO World Heritage List; and
- Explaining his intentions regarding possible amendment of the constitution (which many suspect would be pursued with an eye toward promoting Thaksin's interests).

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14. (U) Separately, PAD co-leader Chamlong Srimuang echoed elements of Suriyasai's agenda, noting that the Samak administration (in which Somchai held a deputy premiership) had engaged in corrupt practices. Chamlong added a call for the revocation of the diplomatic passport that Thaksin holds by virtue of his status as a former Prime Ministers.

RISKING ARREST

15. (U) The PAD's protest continues at Government House, though with significantly fewer supporters on hand. Press reports indicate that the police are waiting for the PAD leaders to leave the compound before arresting them.

16. (U) A Court of Appeals on September 17 decided to accept for consideration a petition from PAD leaders that requested review of the warrants issued for their arrest. It is unclear when the Court might rule on the warrants. PAD's core leaders are charged with violating the following articles of the Criminal Code:

- Article 113, which provides for capital punishment or life imprisonment for those engaging in insurrection, defined as a threatened or actual act of violence aiming to "overthrow or change the constitution," or to undermine the legislative, executive or judicial branches.
- Article 114, which provides for punishment of three to 15 years' imprisonment for those who plot or contribute to insurrection, as defined above.
- Article 116, which provides for up to seven years' imprisonment for anyone who publicly incites disturbances; encourages illegal actions; or encourages the use of violence to change the laws or government.
- Article 215, which provides for varying degrees of punishment (potentially as minor as a small fine) for members of any group of 10 or more people who "cause a breach of the peace" or commit or threaten violence.

- Article 216, which imposes additional penalties (again, potentially as minor as a small fine) for members of a group in violation of Article 215 if they fail to disperse when the authorities order them to do so.

HOPES FOR A POSSIBLE WAY OUT?

¶17. (SBU) GEN Lertrat Ratanavanich, an appointed Senator whom the Senate Chair had tapped to try to facilitate dialogue between the Army and the PAD, told us September 17 that he hoped Somchai's non-confrontational manner and the Appeals Court decision to accept the PAD appeal of the arrest warrants, several weeks after having rejected the appeal, offered a possible way out of the impasse. Lertrat suggested Somchai could send signals of his willingness to meet several PAD demands, such as pledging not to push forward Constitutional amendments that would help Thaksin. However, the key to resolving the PAD occupation, in his view, was the possible court appeal - to allow the PAD leaders to save face by exiting the Government House compound without being arrested.

PALACE TIES OF THE PAD?

¶18. (C) While criticizing Somchai as a likely proxy for Thaksin, PAD's leaders are themselves seen as acting on behalf of figures at the Palace. Reftel noted rumors of Queen Sirikit's support for the PAD. In late August, Princess Sirindhorn instructed the Thai Red Cross, for which she holds the title of Executive Vice President, to prepare medical teams and supplies to assist in the event of clashes between PAD and the authorities. An expatriate with close ties to the Queen's circle assured us on September 17 that

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the PAD had "handlers" (presumably people with royalist sympathies) who, with relative ease, would be able to direct an end the PAD's rallies at the appropriate time.

UDD COUNTER-DEMONSTRATORS TO MARK COUP ANNIVERSARY

¶19. (U) The United Front of Democracy against Dictatorship (UDD) announced it would hold a demonstration at the Royal Grounds (Sanam Luang) in the evening of September 19 to mark the second year anniversary of the September 19, 2006 coup that deposed ex-PM Thaksin. Army Commander Anupong Paojinda publicly reminded demonstrators they should not carry weapons to their rally.

¶10. (SBU) UDD co-founder Veera Muskiapong claimed to us September 10 that the September 2 street violence precipitated by pro-government toughs and attributed to UDD was unplanned and not under UDD direction. His hope for UDD rallies in Bangkok had been for UDD to draw more supporters than PAD and show that they were more peaceful and law abiding than the PAD; the result was the opposite, tarnishing UDD's reputation.

¶11. (SBU) In comparison to the post-coup period, in which Veera and several other veterans of the pro-Thaksin "People's Television" station (PTV) took over coordination of a wide-range of anti-coup groups and provided centralized leadership, the pro-government street efforts since August 26 had a more decentralized structure, Veera stated. Veera, who claimed he was sick the night of September 1 and not at Sanam Luang when the pro-government mob moved towards the PAD encampment, said that PPP MP Pracha Prasobdee, who openly admitted helping orchestrate the pro-government demonstration under the "People's Group for the Protection of Democracy" banner, now leans more toward violent confrontation.

JOHN